

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF SOUTH CAROLINA

IN RE:)	
)	CASE NO.: 15-06263dd
Jimmy Harvey Boatwright)	Chapter 13
Rhonda Welch Boatwright)	SETTLEMENT ORDER ON
)	MOTION FOR RELIEF FROM
Debtors,)	AUTOMATIC STAY
_____)	

This matter comes before the Court on the motion for relief from the automatic stay filed by Christiana Trust, a Division of Wilmington Savings Fund Society, FSB, as Trustee for Stanwich Mortgage Loan Trust, Series 2013-2 ("Movant"). The Chapter 13 Trustee did not object to the motion or has agreed to the settlement. The property or security which is the subject of the motion is described as follows:

317 Live Oak Road, Leesville, SC 29070

Upon Movant's certification of the agreement of the parties, it is hereby ORDERED:

As of June 17, 2016, Debtors have accrued a post-petition arrearage in the amount of \$4,741.24. The post-petition arrearage consists of:

- ☒ Payments for the months of March 2016 – June 2016 in the amount of \$1,202.54 each; minus suspense in the amount of \$894.92.
- ☐ Late charges in the amount of \$0.00.
- ☒ Attorney's fees and costs in the amount of \$826.00.
- ☐ Other costs (specify below) in the amount of \$0.00.

Debtors shall continue to remit to Movant the regular post-petition monthly payments beginning July 1, 2016, and continuing thereafter in accordance with the terms of the loan agreement and the Chapter 13 plan.

In addition to the regular post-petition monthly payments set forth above, Debtor shall cure the post-petition arrearage of \$4,741.24 as follows:

- ☐ Pay initial payment of \$
- ☒ Pay \$395.10 per month beginning July 1, 2016 for 11 months.
- ☒ Pay final payment of \$395.14 by June 1, 2017.

Failure to make a payment within 20 days from its due date shall be considered a default under the terms of this settlement order.

Payment shall be paid directly to Movant at:

Selene Finance, LP, Attn: Cashering
9990 Richmond Avenue, Suite 400 South
Houston, Texas 77042

In the event of a default under the terms of this Order, relief from stay may be provided without further hearing upon the filing of an affidavit of default by Movant and the entry of the proposed order by the Court. Movant may then proceed with its state court remedies against its security, including sending any required notice to Debtors. **This *ex parte* relief provision of this Order shall expire and no longer be effective 12 months from the expiration of the cure period set forth above.**

Movant agrees to waive any claim arising under 11 U.S.C. § 503(b) or § 507(b) as a result of this Order. In the event relief from the automatic stay is granted due to Debtor's default under the terms of this Settlement Order, Movant agrees that any funds received as a result of a lawful disposition of the security in excess of all liens, costs, and expenses will be paid to the Trustee.

AND IT IS SO ORDERED.

**FILED BY THE COURT
06/24/2016**



Entered: 06/24/2016

David R. Duncan
Chief US Bankruptcy Judge
District of South Carolina

WE SO MOVE AND CONSENT

/s/Louise M. Johnson
Attorney for Movant
District Court I.D.7509

/s/Lex A. Rogerson
Attorney for Debtors
District Court I.D. 3633